

MESSAGE NO: 3298304 MESSAGE DATE: 10/25/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 78 FR 58520 FR CITE DATE: 09/24/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-557-805

EFFECTIVE DATE: 09/24/2013 COURT CASE #: 98-04-00908 04-00477

PERIOD OF REVIEW: 10/01/1995 TO 09/30/1996

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for extruded rubber thread from Malaysia produced and/or exported by Heveafil Sdn. Bhd. for the period 10/01/1995-09/30/1996 (A-557-805-001)

1. On 09/04/2013, the U.S. Court of International Trade issued an order of judgment by stipulation in the case of Heveafil Sdn. Bhd., et al., v. United States (Court Nos. 98-04-00908 and 04-00477). As a result of this order, the injunction enjoining liquidation of entries which are subject to the antidumping duty order on extruded rubber thread from Malaysia for the period 10/01/1995 through 09/30/1996 produced and/or exported by Heveafil Sdn. Bhd. and Filmax Sdn. Bhd. dissolved on 09/04/2013. Heveafil Sdn. Bhd. is also known as Heveafil Sdn.
2. For all unliquidated entries of extruded rubber thread from Malaysia produced and/or exported by Heveafil Sdn. Bhd., Heveafil Sdn. and Filmax Sdn. Bhd. (A-557-805-001), and entered or withdrawn from warehouse for consumption during the period 10/01/1995 through 09/30/1996, liquidate at the rate of duty asserted at the time of entry.
3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the amended final results of administrative review (78 FR 58520, 09/24/2013).
4. There are no injunctions applicable to the entries covered by this instruction.
5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a
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reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O2:EE.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party